

The opinion in support of the decision being entered today was not written for publication in a law journal and is not binding precedent of the Board.

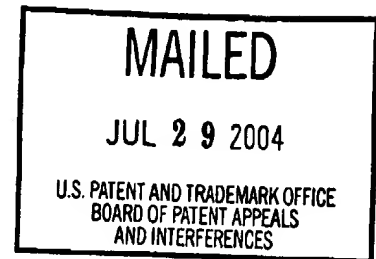
UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte OLGA BANDMAN and
PHILLIP R. HAWKINS

Appeal No. 2004-1370
Application 09/841,758

ORDER DISMISSING APPEAL



Before HARKCOM, Acting Chief Administrative Patent Judge, and
WILLIAM F. SMITH and NASE, Administrative Patent Judges.

Per curiam.

On June 16, 2003, appellants filed a Notice of Appeal. On July 23, 2004, appellants filed a communication stating that this application was "to become abandoned."

Accordingly, it is

ORDERED that the appeal filed June 16, 2003, is dismissed.

Appeal No. 2004-1370
Application 09/841,758

The application is being returned to the examiner for further action as may be appropriate.


Gary V. Harkcom, Acting Chief
Administrative Patent Judge


William F. Smith
Administrative Patent Judge


Jeffrey V. Nase
Administrative Patent Judge

BOARD OF PATENT
APPEAL
INTERFERENCES

Incyte Corporation
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Wilmington, DE 19880

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